

PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by CHAIRMAN TRUESDELL.

CALL TO ORDER: 6:00 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: CHAIRMAN RICHARD TRUESDELL, VICE CHAIRMAN BYRON GOYNES, MEMBERS STEVEN EVANS, LEO DAVENPORT, DAVID STEINMAN, GLENN TROWBRIDGE and SAM DUNNAM.

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., MARIO SUAREZ – PLANNING & DEVELOPMENT DEPT., DOUG RANKIN – PLANNING & DEVELOPMENT DEPT., EDDIE DICHTER – PLANNING & DEVELOPMENT DEPT., GINA VENGLASS – PUBLIC WORKS, RICK SCHROEDER – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ANGELA CROLLI – CITY CLERK'S OFFICE, YDOLEENA YTURRALDE– CITY CLERK'S OFFICE

DOUG RANKIN, Planning and Development Department, stated that the applicants for the following items requested the items be held in abeyance, tabled, stricken or withdrawn. Letters are on file for each of the requests.

Item 15 [ZON-9093]	Abeyance to 11/17/2005 Planning Commission Meeting
Item 16 [SDR-9095]	Abeyance to 11/17/2005 Planning Commission Meeting
Item 17 [VAR-8652]	Withdraw with prejudice
Item 19 [SDR-8967]	Table
Item 20 [SDR-8987]	Abeyance to 11/17/2005 Planning Commission Meeting
Item 33 [SUP-9430]	Abeyance to 11/17/2005 Planning Commission Meeting
Item 42 [TXT-9765]	Strike

Pertaining to Items 15 and 16, CHAIRMAN TRUESDELL questioned if the neighbors were notified of the request to hold the items in abeyance. ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and indicated that she, with the help of KIM BUSH, made contact with a significant number of the neighbors to inform them of the request.

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

(6:03 – 6:06)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

SUBJECT:

Approval of the minutes of the October 6, 2005 Planning Commission Meeting

MINUTES:

No action taken.

(6:02)

1-39

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

CHAIRMAN TRUESDELL announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

CHAIRMAN TRUESDELL read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.

City of Las Vegas

City of Las Vegas

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

CHAIRMAN TRUESDELL noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

ABEYANCE - TMP-9117 - TENTATIVE MAP - IVANA – APPLICANT: NEVADA BY DESIGN - OWNER: RINKAI AMERICA, INC. - Request for a Tentative Map FOR A 944-UNIT MIXED-USE CONDOMINIUM DEVELOPMENT on 2.17 acres adjacent to the northeast corner of Sahara Avenue and Las Vegas Boulevard (APNs 162-04-813-070, 071 and 162-03-410-008), C-2 (General Commercial) Zone, Ward 3 (Reese).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

1-177

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

TMP-6603 - TENTATIVE MAP - FARM/JENSEN - APPLICANT: WAGNER HOMES - OWNER: DAY STAR VENTURES, L.L.C. - Request for a Tentative Map FOR A 21- LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.15 acres adjacent to the northeast corner of Jensen Street and Farm Road (APN 125-18-201-008), PD (Planned Development) Zone, Ward 6 (Ross).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

1-177

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

TMP-9106 - TENTATIVE MAP - OWENS AND LAMB - APPLICANT: TANEY ENGINEERING - OWNER: RICHARD ERLICH, ET AL - Request for a Tentative Map FOR A 161-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 17.89 acres adjacent to the south side of Owens Avenue, approximately 460 feet west of Lamb Boulevard (APNs 140-30-520-017; 140-30-503-001 and 002), R-E (Residence Estates) Zone under Resolution of Intent to R-PD9 (Residential Planned Development - 9 Units per Acre) Zone, Ward 3 (Reese).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

TMP-9366 - TENTATIVE MAP – BROOKHAVEN - APPLICANT/OWNER: GRAND TETON RESIDENTIAL, LLC. - Request for a Tentative Map FOR AN 85 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION ON 10.30 acres adjacent to the southwest corner of Grand Teton Drive and Tee Pee Lane (APN 125-18-501-015), U (Undeveloped) Zone [MLA (Medium Low Attached Density Residential) General Plan Designation] under Resolution of Intent to R-PD12 (Residential Planned Development - 12 Units per Acre) Ward 6 (Ross).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

TMP-9428 - TENTATIVE MAP - ALEXANDER/CLIFF SHADOWS - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RITTER CHARITABLE TRUST - Request for a Tentative Map FOR A 43-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.00 acres adjacent to the southwest corner of Cliff Shadows Parkway and Alexander Road (APN 137-12-101-002), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to P-D (Planned Development) Zone, Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

TMP-9429 - TENTATIVE MAP - HUALAPAI/CHEYENNE - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: LAND INVESTMENTS, LLC - Request for a Tentative Map FOR A 27 LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 5.00 acres adjacent to the northwest corner of Cheyenne Avenue and Hualapai Way (APN 137-12-801-006), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] Under Resolution of Intent to P-D (Planned Development) Zone, Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions Item 1 [TMP-9117], Item 2 [TMP-6603], Item 3 [TMP-9106], Item 4 [TMP-9366], Item 5 [TMP-9428] and Item 6 [TMP-9429] – **UNANIMOUS** with **TRUESDELL** abstaining on Item 1 [TMP-9117] because he owns property adjacent to the site

This is Final Action

MINUTES:

CHAIRMAN TRUESDELL stated this is a Consent item.

(6:06 – 6:08)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-8986 - VACATION - PUBLIC HEARING - APPLICANT: TANEY ENGINEERING - OWNER: LEECH WEST, LLC. - Petition to Vacate a portion of Corbett Street generally located between Jones Boulevard and Bronco Street, Ward 6 (Ross).

SET DATE: 11/16/05 C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions Item 7 [VAC-8986] and Item 8 [VAC-9207]
– UNANIMOUS

To be heard by the City Council on 12/07/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 7 – VAC-8986

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 7 [VAC-8986] and Item 8 [VAC-9207].

DOUG RANKIN, Planning and Development Department, explained that a notarized letter was received from the applicant for Item 7 [VAC-8986] agreeing to the conditions. However, the applicant for Item 8 [VAC-9207] would need to put his concurrence with the conditions on the record.

SCOTT SWAP appeared on behalf William Lyon Homes and concurred with the recommendations and requested approval.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed on Item 7 [VAC-8986] and Item 8 [VAC-9207].

(6:08 – 6:10)

1-224

CONDITIONS:

1. The limits of this Petition of Vacation are the entire width of Corbett Street between Jones Boulevard and Bronco Street.
2. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including those properties not controlled by the applicant, so an unmaintained “no-man’s land” area does not result by this action. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
3. Prior to the recordation of this Petition of Vacation, the applicant shall reimburse the City \$10,835 for the fees paid to obtain the spandrel area at the northwest corner of Corbett Street and Jones Boulevard.
4. A sanitary sewer relocation/abandonment plan must be approved by the Department of Public Works. If relocation is proposed, the relocated sewer lines must be constructed and active prior to the recordation of the Order of Vacation. Alternatively, public sewer easements shall be retained through this Petition of Vacation.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 7 – VAC-8986

CONDITIONS – Continued:

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-6928 may be used to satisfy this requirement provided it addresses the area to be vacated.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City departments.
9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAC-9207 - VACATION - PUBLIC HEARING - APPLICANT/OWNER: THE HOWARD HUGHES CORPORATION - Petition to Vacate the knuckle portion of the intersection of Baronet Drive and Oak Fair Street, Ward 2 (Wolfson).

SET DATE: 11/16/05 C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – APPROVED subject to conditions Item 7 [VAC-8986] and Item 8 [VAC-9207]– **UNANIMOUS**

To be heard by the City Council on 12/07/2005

MINUTES:

CHAIRMAN TRUESDELL explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 8 – VAC-9207

MINUTES – Continued:

NOTE: See Item 7 [VAC-8986] for all related discussion.

(6:08 – 6:10)

1-224

CONDITIONS:

1. The limits of this Petition of Vacation are limited to the outer curve portion of the knuckle at the intersection of Baronet Drive and Oak Fair Street.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of the Order of Vacation.
3. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City Departments.
6. The Order of Vacation shall not be recorded until all of the conditions of approval have been met. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 8 – VAC-9207

CONDITIONS – Continued:

- changed. If applicable, a five-foot wide easement for public street light and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

CITY OF LAS VEGAS - Receive and discuss a report on Transportation and Traffic issues in and adjacent to the Downtown area.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after meeting – PowerPoint presentation

MOTION:

No action taken

MINUTES:

DOUG RANKIN, Planning & Development, introduced GLENN PATRANKO, Principal Engineer with the Nevada Department of Transportation (NDOT), JIM CAVIOLA from Carter Burgess, and KIM NOKES from Parson's Transportation Group. Each presented a PowerPoint presentation, which detailed Project Neon in terms of traffic flow improvement and safety.

COMMISSIONER TROWBRIDGE inquired about the construction schedule. MR.CAVIOLA stated that there is not full funding available for the project as detailed. The duration of the construction schedule would be based on the funding sources and whether or not the project would be completed in phases. If it would be completed as one big project, the completion would be no sooner than three years.

COMMISSIONER EVANS questioned why the project was named Project Neon and MR. CAVIOLA stated that because there are so many connecting improvements they thought to use a generic name and associate all of the goals of the project to that name. COMMISSIONER EVANS questioned what type of negotiations have been established with various utility companies and Public Works to incorporate a unified completion. MR. CAVIOLA explained

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 9 – CITY OF LAS VEGAS

MINUTES Continued:

that there has been several coordinating meetings to be informed of the outcome and organize something reasonable. MR. PATRANKO added that funding plans are still being considered but currently, through phase construction, they will attempt to acquire the most funding possible. The governor is requesting a Blue Ribbon Task Force to derive additional funding but it is likely to receive funding in packages.

COMMISSIONER STEINMAN questioned if the Sahara Avenue interchange is outdated as it is only one to two years old. MR. CAVIOLA clarified that the project is designed for the year 2030 and at that time portions of the Sahara Avenue interchange will be outdated. COMMISSIONER STEINMAN questioned if Western Avenue would still be made to go through to Grand Central Parkway across Charleston Boulevard. MR. CAVIOLA specified that the current alternatives show Western Avenue connecting to Charleston Boulevard because with the reconstruction of the freeway, the access to that area adjacent to Western Avenue would be eliminated. There have been discussions with the property owners of Western Avenue about different access options and it was decided that the alignment would be altered and Western Avenue would connect to Charleston Boulevard.

CHAIRMAN TRUESDELL encouraged the public to visit NDOT's webpage for updated information because it is frequently updated and contains pertinent resource information.

BILL SEPHORAS from the Regional Transportation Center (RTC) also provided a PowerPoint presentation based on the status of Project Neon.

COMMISSIONER STEINMAN inquired about their funding source for a project of this size. MR. SEPHORAS stated that funds were available for the monorail project, but since that project is on hold and this is the interim project, those funds are available to them. The RTC would need to request access to those funds through federal process, but there is still a need to obtain local funds through sales tax.

COMMISSIONER TROWBRIDGE questioned the impact this project would have on the monorail system. MR. SEPHORAS confirmed that this project would not impact the monorail system because it is a private system. The owners have not decided if the monorail would be brought Downtown but the RTC is still planned to be connected to the monorail via transfers.

COMMISSIONER DAVENPORT inquired about the costs and MR. SEPHORAS stated the project would cost nearly \$80 million dollars and would include stations, vehicle procurement and account for the Central City Intermodal Transit Terminal (CCIT). There are still preliminary issues to discuss further. He explained that the current Max system is not driverless but contains

an optical guidance system which allows it to board as close to the station as possible. The system

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 9 – CITY OF LAS VEGAS

MINUTES Continued:

will be a similar vehicle to the Max but without the optical guidance system.

CHAIRMAN TRUESDELL questioned if critical improvements would be made to the vehicle lane and both sides of the right-of-way. MR. SEPHORAS confirmed that the streets will be complete with the system. CHAIRMAN TRUESDELL thanked all who presented the commissioners with the very detailed report.

(6:10 – 6:47)

1-296

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - GPA-9144 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: ELOISA S. DELEON, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: DR (Desert Rural DENSITY RESIDENTIAL) AND R (RURAL DENSITY RESIDENTIAL) TO: L (Low Density Residential) on 18.66 acres adjacent to the southwest corner of Ann Road and Rebecca Road (APNs 125-35-101-003, 004, 006, 008, and 125-35-103-005), Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Conditions of approval for Items 10-12

MOTION:

DUNNAM –Motion to HOLD IN ABEYANCE – Motion carried with TRUESDELL and STEINMAN voting NO

To be held in abeyance to the 12/15/2005 Planning Commission meeting

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 10 [GPA-9144], Item 11 [ZON-9141], Item 12 [VAR-9143], Item 13 [VAC-9540] and Item 14 [SDR-9142].

MARIO SUAREZ, Planning & Development, explained that 83 units are proposed to be located on 18.66 acres. He described the area's density and reviewed details of what the residential project will offer. He pointed out the requests for a variance for the open space because seven percent is required where only four percent is proposed. He explained staff's recommendation is for denial because the project is too dense for the area and the existing proposal is not compatible but rather disruptive to the area.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 10 – GPA-9144

MINUTES CONTINUED:

ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared with CRAIG TURNEY of Pulte Homes. ATTORNEY KEETCH argued that the project is consistent with nearby development and described the density of several projects in the vicinity. She read several additional conditions that were negotiated upon after several neighborhood meetings. All negotiations proved their attempt to blend with the current RE properties. MARGO WHEELER, Director of Planning and Development, questioned if the additional conditions were submitted to staff for evaluation. ATTORNEY KEETCH replied they had not been presented to staff but explained that because the revisions would modify the design she would provide a revised site plan for staff's evaluation prior to the Council meeting.

DAVID POOL, 5533 Rebecca Road, appeared as a spokesperson for the majority of the neighbors. He addressed concerns regarding traffic, flood, and safety. If Tina Lane is closed off the traffic will be increased and necessary walk paths will be needed along west of Rebecca Road. He requested additional stop signs and appropriate drainage for nearby intersections.

JOHN BAILEY, 5455 North Rainbow, indicated there is tremendous traffic throughout the entire day for that area therefore does not support the zone change.

PAUL WEBER, 6520 West Hammer Lane, a retired engineer stated his opposition for the open space variance and pointed out that the density is inconsistent with the existing neighborhood.

DENNIS JOHNSON, 7818 Right Canyon Drive, indicated he owns a 15-acre parcel across the street and has subdivided his property into 2.1 houses per acre. When his project was presented a couple of years ago, they too were required to adhere to the open space requirements and compatibility. He indicated that his land has become a premium lot project with semi-custom homes and approving a project of much higher density will definitely deter his potential buyers.

SHERI HUGHES, 5853 Rebecca Road, outlined recent development proposals that the area has been presented with and stated concern about the project setting a precedent for the area. She protested the project due to the disruption of rural preservation.

JOHN RODRIGUEZ, 5841 Rebecca Road, concurred with opposing comments and requested clarification about the meaning of rural preservation.

BRIAN HICKS, 6550 West Hammer Lane, announced there is enough room for new admissions in the appropriate school and adequate open space can be found nearby. He spoke positively about Pulte Home's attempt to maintain the integrity of the area and supported the project.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 10 – GPA-9144

MINUTES CONTINUED:

DOUG LOVEGROW stated he initially purchased in the area because of the rural environment. He is opposed to the high density and encourages rural preservation.

BRENDA HICKS, 6550 W. Hammer Lane, supported the project because she has realized that the needs of development will continue to increase. The current project is considered incompatible but in the near future will soon be preferred. At the moment, residential homes are being proposed and while the density does not mirror what currently exists, it would much better serve the area as opposed to condominium or apartment units. MS. HICKS pointed out that any change will be difficult for the community to adjust to and pressed the need for neighbors to realize that another type of development could later be approved at this area.

CHAIRMAN TRUESDELL acknowledged that in an effort to compromise with neighbors ATTORNEY KEETCH has presented a list of additional conditions. He stated these sudden requests, while noble, do not allow the Planning Commission and staff ample time to determine proper suitability. It is not appropriate to present such changes during a meeting without giving the necessary individuals proper notice and therefore the Commissioners have difficulty responding to such requests. ATTORNEY KEETCH appreciated his comments and as a frequenter of Planning Commission and Council meetings, she apologized for unacceptable practices but pleaded that this particular situation offered no alternative.

ATTORNEY KEETCH provided the Commissioners with copies of the conditions to follow along as she addressed some concerns raised by the neighbors. She realized that the density proposed does not please everyone but a precedent has already been set for three to four units per acre, which is what the project offers. According to the Centennial Hills General Plan intersections of section line streets permit higher density.

At the request of COMMISSIONER TROWBRIDGE, ATTORNEY KEETCH further described the density of areas surrounding the project and concluded by stating that the project would now total 4.28 units per acre. COMMISSIONER TROWBRIDGE questioned if constructing a walking pathway has been considered and requested clarification about how the drainage problem would be mitigated. Based upon the existing site plan, she explained all of the revisions.

DAVID GUERRA, Public Works, declared that the procedure for requesting suitable traffic signs would need to be justified via a study. COMMISSIONER TROWBRIDGE advised MR. POOL to obtain contact information from Public Works so that he can follow through with that request.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 10 – GPA-9144

MINUTES CONTINUED:

COMMISSIONER DAVENPORT pointed out that according to the figures, even with the revisions, there is still a 50 percent shortage of open space. ATTORNEY KEETCH replied that the redesigned site would entail a new configuration that would constitute the loss of three lots and; therefore, adjusting the open space together for better usability.

COMMISSIONER DUNNAM stated that it would be extremely difficult to approve this project without a site plan. He acknowledged the revisions promised, but did not agree that they would justify certain requirements. COMMISSIONER DUNNAM instead requested that the items be held in abeyance for 30 days.

COMMISSIONER EVANS reiterated that the items have been held before and would reluctantly support another abeyance. It is the applicant's obligation to arrive prepared. Concerned neighbors have taken time off to attend the meeting expecting a decision and for the applicant to arrive unprepared and hopeful that staff and the Commissioners would make a sudden decision is extremely unfair.

COMMISSIONER STEINMAN stated that the density is warranted by the area but consequently, because the applicant has not presented appropriate information to staff, he supported the abeyance.

COMMISSIONER EVANS pointed out that 30 days would lead to the 12/1/2005 Planning Commission meeting and that meeting currently has 70 items. CHAIRMAN TRUESDELL agreed that it would be wise to hold the items in abeyance but suggested the abeyance be only for two weeks. MR. RANKIN stated that if two weeks would be considered, the Planning Department would need the revised site plan tomorrow in order to route them appropriately before the Council meeting. COMMISSIONER DUNNAM replied that if the 30-day abeyance would not be ideal, he would request that the items be held in abeyance for 45 days to the 12/15/2005 Planning Commission meeting.

ATTORNEY KEETCH pleaded that she understood the concerns raised and could commit to provide staff with the revised site plan tomorrow if the Commissioners would consider the two-week abeyance rather than the 45-day abeyance. DEPUTY CITY ATTORNEY BRYAN SCOTT suggested to incorporate the residents' comments in the 12/15/2005 meeting so they would not need to return. CHAIRMAN TRUESDELL stated that he would consider that suggestion.

CHAIRMAN TRUESDELL declared the Public Hearing open on Item 10 [GPA-9144], Item 11 [ZON-9141], Item 12 [VAR-9143], Item 13 [VAC-9540] and Item 14 [SDR-9142].

(6:47 – 7:40)

1-1625

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-9141 - REZONING RELATED TO GPA-9144 - PUBLIC HEARING
- APPLICANT: PN II, INC. - OWNER: ELOISA S. DELEON, ET AL - Request for Rezoning FROM: R-E (Residence Estates) TO: R-PD4 (Residential Planned Development - 4 Units Per Acre) on 18.66 acres adjacent to the southwest corner of Ann Road and Rebecca Road (APN 125-35-101-003, 004, 006, 008, and 125-35-103-005), Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

2

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Conditions of approval for Items 10-12 filed under Item 10

MOTION:

DUNNAM –Motion to HOLD IN ABEYANCE – Motion carried with TRUESELL and STEINMAN voting NO

To be held in abeyance to the 12/15/2005 Planning Commission meeting

MINUTES:

NOTE: See Item 10 [GPA-9144] for all related discussion.

(6:47 – 7:40)

1-1625

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-9143 - VARIANCE RELATED TO GPA-9144 AND ZON-9141 - PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: ELOISA S. DELEON, ET AL - Request for a Variance TO ALLOW 14,800 SQUARE FEET OF OPEN SPACE WHERE 59,677 SQUARE FEET IS THE MINIMUM AMOUNT OF OPEN SPACE REQUIRED IN CONJUNCTION WITH A PROPOSED 83-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.66 acres adjacent to the southwest corner of Ann Road and Rebecca Road (APNs 125-35-101-003, 004, 006, 008 and 125-35-103-005), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone], Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Conditions of approval for Items 10-12 filed under Item 10

MOTION:

DUNNAM –Motion to HOLD IN ABEYANCE – Motion carried with TRUESDELL and STEINMAN voting NO

To be held in abeyance to the 12/15/2005 Planning Commission meeting

MINUTES:

NOTE: See Item 10 [GPA-9144] for all related discussion.

(6:47 – 7:40)

1-1625

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAC-9540 - VACATION RELATED TO GPA-9144, ZON-9141, AND VAR-9143 - PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: ELOISA S. DELEON, ET AL - Petition to Vacate the portion of Tina Lane west of Rebecca Road, Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM –Motion to HOLD IN ABEYANCE – Motion carried with TRUESDELL and STEINMAN voting NO

To be held in abeyance to the 12/15/2005 Planning Commission meeting

MINUTES:

NOTE: See Item 10 [GPA-9144] for all related discussion.

(6:47 – 7:40)

1-1625

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-9142 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-9144, ZON-9141, VAC-9540 AND VAR-9143 -PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: ELOISA S. DELEON, ET AL - Request for a Site Development Plan Review FOR AN 83-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.66 acres adjacent to the southwest corner of Ann Road and Rebecca Road (APN 125-35-101-003, 004, 006, 008 and 125-35-103-005), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 Units Per Acre) Zone], Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

8

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

4

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM –Motion to HOLD IN ABEYANCE – Motion carried with TRUESDELL and STEINMAN voting NO

To be held in abeyance to the 12/15/2005 Planning Commission meeting

MINUTES:

NOTE: See Item 10 [GPA-9144] for all related discussion.

(6:47 – 7:40)

1-1625

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - ZON-9093 - REZONING - PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: QUARTERHORSE FALLS ESTATES, LLC. - Request for Rezoning FROM: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APNs 125-11-503-001, 002, 125-11-507-002, 004 and 125-11-508-003), Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

41

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

To be held in abeyance to the 11/17/2005 Planning Commission meeting

MINUTES:

Pertaining to Items 15 and 16, CHAIRMAN TRUESDELL questioned if the neighbors were notified of the request to hold the items in abeyance. ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and indicated that she, with the help of KIM BUSH, made contact with a significant number of the neighbors to inform them of the request.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-9095 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-9093 - PUBLIC HEARING - APPLICANT: PN II, INC. - OWNER: QUARTERHORSE FALLS ESTATES, LLC. - Request for a Site Development Plan Review FOR AN 83-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard (APNs 125-11-503-001, 002, 125-11-507-002, 004 and 125-11-508-003) R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone], Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

41

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

To be held in abeyance to the 11/17/2005 Planning Commission meeting

MINUTES:

Pertaining to Items 15 and 16, CHAIRMAN TRUESDELL questioned if the neighbors were notified of the request to hold the items in abeyance. ATTORNEY TABITHA KEETCH, 3800 Howard Hughes Parkway, appeared on behalf of the applicant and indicated that she, with the help of KIM BUSH, made contact with a significant number of the neighbors to inform them of the request.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - VAR-8652 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: JESUS E. CORN - Request for a Variance TO ALLOW A FIVE-FOOT SETBACK WHERE 20-FEET IS THE MINIMUM SETBACK REQUIRED on 0.11 acres adjacent to the southwest corner of Bruce Street and Marlin Avenue (APN 139-35-213-003), R-3 (Medium Density Residential) Zone, Ward 5 (Weekly).

APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends WITHDRAWAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

MINUTES:

There was no discussion.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RENOTIFICATION - SDR-8066 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: CENTENNIAL HILLS CENTER, LLC - Request for a Site Development Plan Review FOR A PROPOSED 247,800 SQUARE-FOOT OFFICE COMPLEX on 23.5 acres adjacent to the northwest corner of Grand Montecito Parkway and Durango Drive (APNs 125-29-502-010, 125-29-601-002, 020, a portion of 125-29-601-018, and 125-29-510-011), T-C (Town Center) Zone [SC-TC (Service Commercial - Town Center) General Plan Designation], Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning Department, explained that the Planning Commission had seen an earlier version of this project last year and more recently, the item was held in abeyance to re-notify. The revised plan reflects 14 buildings with an increased square footage to Building 5 and a three-story structure. There was a general plan and modification at the last meeting, which were approved. The site is in conformance to all of the setbacks of Town Center Development Standards except for the three-story building, but staff recommended approval.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 18 – SDR-8066

MINUTES – Continued:

GEORGE GARCIA, 1711 Whitney Mesa Drive Suite 110, stated that the project is now less than 250,000 square feet and consists of a different configuration with fewer buildings. The buildings have been moved to the perimeter to abide by Town Center Guidelines with the two-story and one three-story building moved to the interior lot. After extensive design reviews, the overall appearance displayed a smooth contrast allowing for better transition to the rural residential areas located to the west and south.

A previous concern was the reduction of project's intensity. The project now reveals enhancement to the street and appearance. Other concerns related to the lighting reflectivity of the glass, landscaping and the types of operation. The plan is predominantly a medical professional office complex. The retail portion has been previously approved, but do intend to return with a total site development review on the project when ready. There will not be any convenience stores and the design prevents that as there are no driveways near the corner that would be conducive to that type of operation.

The project seeking approval is for the medical professional portion. There are certain conditions recommended by the neighbors, which the applicant intends to honor that include low-level lighting and reflectivity in respect to staff's requirements so as to balance the reflectivity with the energy conservation code requirements. The neighbors were relieved to know that there are no plans for mirrored glass. The nature of the operation would mean that people would not remain during the evening hours and are there very little on the weekends.

MR. GARCIA confirmed that the original approval was for retail use. Although the applicant does not have a partnership with a retailer, there is still contemplation for retail use and any questions about the retail operation can be addressed when the site plan is proposed.

CHAIRMAN TRUESDELL requested clarification about the extended notice area and additional information about why the PFTC section was included. MR. RANKIN indicated that the PFTC section was within the 1000-foot notification area. The parcels are not all incorporated in the site plan. Therefore staff notified the entire parcels affected, but the little portion of the parcel to the south is not part of this site plan review and will be part of a future site plan. CHAIRMAN TRUESDELL verified that there would not be a project south of the Durango curve planned for office professional/commercial business. MR. RANKIN indicated that the plan is intended to prevent that from occurring. COMMISSIONER EVANS motioned for approval with all conditions as agreed to by MR. GARCIA.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:40 – 7:51)

2-385

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 18 – SDR-8066

CONDITIONS:

Planning and Development

1. Approval of a Major Modification (MOD-8064) to allow three-story buildings under certain conditions in the SC-TC special land use designation of the Town Center Plan, approved by City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 7/12/05, except as amended by conditions herein.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials, and shall conform with the requirements listed in Title 19.08. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 18 – SDR-8066

CONDITIONS – Continued:

11. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. Dedicate 30 feet of half street right-of-way adjacent to this site for Regena Avenue, 30 feet of right-of-way for Riley Street a 15-foot radius at the southeast corner of Regena Avenue and Riley Street, and dedicate or obtain dedication of appropriate right-of-way for the entire terminus of Regena Avenue. Dedicate or obtain dedication of the area needed to connect Riley Street to the Durango Drive alignment at a ninety degree angle with all radii and designs meeting American Association of State Highway and Transportation Officials (AASHTO) criteria for a normal crowned street. Also dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and the only allowed private driveway to Durango Drive from this site shall be designed with a deceleration lane and bus stop per Standard Drawing 234.3 and #234.2 for the bus turnout at the intersection of Grand Montecito Parkway and Durango Drive prior to or concurrent with the commencement of on-site development activities.
15. Construct half-street improvements including appropriate overpaving on Regena Avenue, the entire terminus of Regena Avenue, Riley Street and Grand Montecito Parkway adjacent to this site concurrent with development. Also construct turning lanes and bus turnouts adjacent to this site concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). This site shall be responsible for all, if any, half-street improvements on Durango Drive that are not constructed by a special or capital improvement project.
16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 18 – SDR-8066

CONDITIONS – Continued:

17. Coordinate with the City Surveyor to determine whether a Merger and Resubdivision Map or other map is necessary; if such a Map is required, it should record prior to the issuance of any permits for this site.
18. Show and annotate the existing public sewer main and public sewer easement located along the Azure Drive alignment or vacate this facility appropriately.
19. All pads comprising this overall site must always allow for the perpetual common access between the various parcels/owners within the proposed commercial area.
20. All landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 18 – SDR-8066

CONDITIONS – Continued:

concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

23. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4991 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-8967 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: CIMARRON-COMMONS, LLC. - OWNER: CIMARRON-FRONTAGE, LLC. - Request for a Site Development Plan Review FOR TWO RETAIL BUILDINGS TOTALING 10,150 SQUARE FEET AND WAIVERS OF THE PARKING AREA AND BUILDING FOUNDATION LANDSCAPING REQUIREMENTS OF THE COMMERCIAL DEVELOPMENT STANDARDS on 2.58 acres adjacent to the north side of Sky Pointe Drive, approximately 650 feet east of Cimarron Road (APN 125-21-710-006), T-C (Town Center) Zone [SX-TC (Suburban Mixed-Use - Town Center) Special Land Use Designation], Ward 6 (Ross).

THE APPLICANT REQUESTS THIS ITEM BE TABLED

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends TABLED

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

To be held in abeyance to the 11/17/2005 Planning Commission meeting

MINUTES:

There was no discussion.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SDR-8987 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: ACACIA CAPITAL CORPORATION - OWNER: PECCOLE RANCH 9-B, LLC. - Request for a Site Development Plan Review FOR THE CONVERSION OF AN EXISTING 404-UNIT APARTMENT PROJECT TO A CONDOMINIUM DEVELOPMENT on 17.57 acres adjacent to the southwest corner of Charleston Boulevard and Apple Drive (APN 163-06-510-001), R-3 (Medium Density Residential) Zone, Ward 2 (Wolfson).

THE APPLICANT REQUESTS THIS ITEM BE HELD IN ABEYANCE TO THE 11/17/05 PC

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

To be held in abeyance to the 11/17/2005 Planning Commission meeting

MINUTES:

There was no discussion.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - RQR-8789 - REQUIRED TWO YEAR REVIEW - PUBLIC HEARING - APPLICANT: REAGAN NATIONAL ADVERTISING - OWNER: COG III, LTD - Required Two Year Review of an approved Special Use Permit (SUP-2758), WHICH ALLOWED A 40 FOOT TALL, 14 FOOT BY 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1110 South Rainbow Boulevard (APN 163-02-101-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM – APPROVED subject to conditions and amending the following condition:

1. The Special Use Permit shall be reviewed in *two* (2) years, at which time the City Council may require the Off-premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign be removed.

– UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 21 – RQR-8789

MINUTES – Continued:

DOUG RANKIN, Planning and Development Department, explained that the items were held in abeyance from the previous Planning Commission meeting because the applicant was not present. Staff noted the sign to be in good condition, but is concerned that the billboard overhangs an existing building, which is prohibited per the proposed sign regulations. Therefore, recommended denial.

ATTORNEY JAY BROWN, 520 South Fourth Street, appeared with ANDY BILANZICH, Real Estate manager for the applicant. ATTORNEY BROWN indicated that the sign is not located in a residential area and has been properly maintained. Additional funds have been expended to beautify the sign thereby enhancing the building. There are currently no waivers requested and because the sign has been erected for two years and maintained so well, ATTORNEY BROWN requested approval with a two-year review instead of the one-year review.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(7:51 – 7:54)

2-736

CONDITIONS:

Planning and Development

1. This Special Use Permit shall be reviewed in one (1) year, at which time the City Council may require the Off-premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-premise Advertising (Billboard) Sign be removed.
2. The Off-premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-premise Advertising (Billboard) Sign.
3. Only one advertising sign is permitted per sign face.
4. If the existing Off-premise Advertising (Billboard) Sign structure is removed, this Special Use Permit shall be expunged and a new Off-premise Advertising (Billboard) Sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City of Las Vegas, or (2) the location is in compliance with all applicable standards of Title 19 including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 21 – RQR-8789

CONDITIONS – Continued:

5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ZON-9386 - REZONING - PUBLIC HEARING - APPLICANT: BRAMBLE HOMES INC - OWNER: GARRETT, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on 3.87 acres adjacent to the southeast corner of Leon Avenue and Elkhorn Road (APN 125-24-102-001), Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open for Item 22 [ZON-9386], Item 23 [WVR-9715] and Item 24 [SUP-9387].

DOUG RANKIN, Planning and Development Department, stated that the rezoning request complies with the designated Low Density Residential land use designation. In regards with the waiver of the intersection, staff and Public Works feel is appropriate and will not cause any hazards. Regarding the Special Use Permit request for the private street, the applicant wishes to gate the community. Staff felt there is no impact to the area, therefore, recommended approval. MR. RANKIN noted that the application was submitted prior to the adoption of the Rural Neighborhood Preservation Overlay District and staff made a finding of good cause that since the General Plan allowed for this density development, that it would be appropriate to move forward with this item.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 22 – ZON-9386

MINUTES – Continued:

KIRBY ADAMS, 720 Susanna Way, indicated the proposed project is 2.6 dwelling units per acre, well under the allowed 5.5 dwelling units per acre. The average square footage for the lot is about 10,000 square feet, well above the minimum 6,500 square footage for the R-1 (Single Family Residential) zoning. Access off Janette Street provides a better access. As far as the private street, the gated community is typical for these types of developments.

COMMISSIONER DUNNAM was appreciative of the fact that the applicant took the time to show the houses on the exterior of the five acre parcel, thus helping the Board in their decisions.

MARGO WHEELER, Director of Planning and Development Department, amended Condition 2 of Item 24 [SUP-9387] to reflect the site plan dated 9/18/05.

CHAIRMAN TRUESDELL confirmed with MR. RANKIN that staff determined there was adequate movement for the gates to open without causing a conflict. MR. ADAMS added that they will ensure that the driveway will be located on the west side.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed for Item 22 [ZON-9386], Item 23 [WVR-9715] and Item 24 [SUP-9387].

(7:55 – 8:01)

2-859

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.

Public Works

2. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southeast corner of Leon Avenue and Elkhorn Road and on the southwest corner of Elkhorn Road and Jeanette Street.
3. Construct half-street improvements including appropriate overpaving if legally able on Elkhorn Road and Leon Avenue, and rural improvements on Jeanette Street adjacent to this site concurrent with development of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Jeanette Street; and 30-inch rolled curb on the development side of the street. Unless otherwise allowed by the City Engineer, streetlights shall be constructed at all exterior intersections; all other exterior streetlighting will be stubbed out for later use, including all necessary underground conduit and pull boxes at each streetlight location, but the installation of the

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 22 – ZON-9386

CONDITIONS

streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation. Alternatively, monies in lieu of such deferred streetlights, including bases, may be contributed to the City if allowed by the Department of Public Works. Coordinate with the Land Development Section of Public Works regarding streetlighting requirements prior to submittal of construction drawings. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Jeanette Street. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

4. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

WVR-9715 – WAIVER RELATED TO ZON-9386 - PUBLIC HEARING - APPLICANT: BRAMBLE HOMES, INC. - OWNER: GARRETT, LLC - Request for a Waiver to Title 18.12.160 TO ALLOW APPROXIMATELY 195 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED adjacent to the southeast corner of Leon Avenue and Elkhorn Road (APN 125-24-102-001), Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

NOTE: See Item 22 [ZON-9386] for all related discussion.

(7:55 – 8:01)

2-859

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 23 – WVR-9715

CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-9386) and Special Use Permit (SUP-9387).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9387 - SPECIAL USE PERMIT RELATED TO ZON-9386 AND WVR-9715 - PUBLIC HEARING - APPLICANT: BRAMBLE HOMES INC - OWNER: GARRETT, LLC - Request for a Special Use Permit FOR A PRIVATE STREET IN A SINGLE FAMILY SUBDIVISION adjacent to the southeast corner of Leon Avenue and Elkhorn Road (APN 125-24-102-001), R-E (Residence Estates) Zone [PROPOSED: R-1 Single Family Residential Zone], Ward 6 (Ross).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DUNNAM – APPROVED subject to conditions and amending Condition 2 as read for the record as follows:

2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-9386), Waiver (WVR-9715), and with the site plan dated 09/18/05.

– UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

NOTE: See Item 22 [ZON-9386] for all related discussion.

(7:55 – 8:01)

2-859

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 24 – SUP-9387

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Private Streets.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-9386) and Waiver (WVR-9715).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. A Homeowner's Association shall be established to maintain all private roadways created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
6. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-9386 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-9581 - VARIANCE - PUBLIC HEARING - APPLICANT: EN ENGINEERING - OWNER: EASTERN BONANZA, LLC - Request for a Variance TO ALLOW 20 PARKING SPACES WHERE 23 IS THE MINIMUM REQUIRED FOR A PROPOSED 2,800 SQUARE FOOT COMMERCIAL BUILDING WITH DRIVE-THROUGH on 0.48 acres at the southwest corner of Bonanza Road and Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because his office was involved representing Chevron in the sale of this property, even though he has no further financial interests

NOTE: COMMISSIONER DAVENPORT disclosed that he knows the applicant, MR. MUNN, but he does not feel there is a conflict since MR. MUNN is not the owner of the property; therefore, he will vote on the item.

To be heard by the City Council on 12/7/2005

MINUTES:

VICE CHAIRMAN GOYNES declared the Public Hearing open for Item 25 [VAR-9581] and Item 26 [SDR-9372].

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 25 – VAR-9581

MINUTES – Continued:

MARIO SUAREZ, Deputy Director of Planning and Development Department, indicated that the proposal includes 2,800 square foot drive-thru commercial building with a variance request to allow for a former use of the site that was once a service station to place a remediation equipment in order to address environmental issues from the service station. The proposal includes adequate access and queuing, as part of the site development plan. Staff recommended approval for both items. The amount of time for the remediation is approximately three years.

KRIS MUNN, EN Engineering, 245 East Warm Springs Road, appeared on behalf of the applicant and accepted the conditions.

COMMISSIONER STEINMAN asked if when coming off the drive thru and exit, if an immediate right off that site can be made. MR. MUNN replied in the affirmative and added that the main reason for the access was because they needed cross access with the other sides from both directions. He confirmed that there will be a Starbucks.

COMMISSIONER EVANS commented that the applicant has met their burden and established a hardship, and moved for approval.

MARGO WHEELER, Director of Planning and Development Department, verified with staff that the Variance is for 20 spaces as indicated on the revised site plan date stamped 9/29/05.

No one appeared in opposition.

VICE CHAIRMAN GOYNES declared the Public Hearing closed for Item 25 [VAR-9581] and Item 26 [SDR-9372].

(8:01 – 8:07)

2-1093

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review SDR-9372.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-9372 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-9581 - PUBLIC HEARING - APPLICANT: EN ENGINEERING - OWNER: EASTERN BONANZA, LLC - Request for a Site Development Plan Review FOR A PROPOSED 2,800 SQUARE FOOT COMMERCIAL BUILDING WITH DRIVE-THROUGH AND WAIVERS OF THE BUILDING PLACEMENT STANDARD AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.48 acres at the southwest corner of Bonanza Road and Eastern Avenue (APN 139-35-501-002), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because his office was involved representing Chevron in the sale of this property, even though he has no further financial interests

NOTE: COMMISSIONER DAVENPORT disclosed that he knows the applicant, MR. MUNN, but he does not feel there is a conflict since MR. MUNN is not the owner of the property; therefore, he will vote on the item.

To be heard by the City Council on 12/7/2005

MINUTES:

NOTE: See Item 25 [VAR-9581] for all related discussion.

(8:01 – 8:07)

2-1093

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 26 – SDR-9372

CONDITIONS:

Planning and Development

1. A Variance (VAR-9581) to allow 20 parking spaces where 23 is the minimum required approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. A Waiver from the Building Placement Standard is hereby approved, to allow the building to be oriented away from the corner.
5. A Waiver from the Foundation Landscaping Standard is hereby approved, to allow no landscaping between the building and the parking lot.
6. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward directed.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 26 – SDR-9372

CONDITIONS – Continued:

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. Remove all substandard public street improvements and unused driveway cuts, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcels to the south and west prior to the issuance of any permits.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-9726 - VARIANCE - PUBLIC HEARING - APPLICANT: WILICK LAW GROUP
- OWNER: MARSHAL S. WILICK - Request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SEPARATION OF 80 FEET WHERE 99 FEET IS THE MINIMUM SEPARATION REQUIRED FOR A PROPOSED OFFICE BUILDING on 1.50 acres along the south side of Bonanza Road, approximately 300 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – **UNANIMOUS** with **STEINMAN** voting **NO**

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open for Item 27 [VAR-9726] and Item 28 [SDR-9421].

DOUG RANKIN, Planning and Development Department, explained that the applicant is requesting a two story 33-foot tall office building. The applicant is providing an 80-foot setback where 99 feet is required from the residential property located to the south. Regarding the site plan, the applicant is requiring numerous waivers, including the building placement, the parking

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 27 – VAR-9726

MINUTES – Continued:

lot foundation and the perimeter landscaping requirements. Staff cannot support the waiver requests as there is sufficient space to provide for that. Staff is also concerned about a previous approval for a supper club. Most of the parking for the supper club is where the office building is proposed to be located. Staff has requested that if approved, the previous site plan and special use permits be expunged as that project would no longer be viable at this location. In addition, staff is concerned that the future site would also cause a problem. Staff feels that the project is overbuilt as proposed and therefore recommended denial.

MARSHAL WILLICK, 3551 East Bonanza Road, Suite 101, is the owner of the Law Group which has acquired the property for the purpose of the construction of the law office. It is intended to be an office that would service the court building. He introduced DWAYNE ESHENBAUGH, Dekker/Perich/Sabatini, 1 Holmes Sabatini Way, Henderson, who agreed with all conditions with the exception of Conditions 3 and 15 of Item 28 [SDR-9421].

Regarding Condition 15, MR. WILLICK stated that they plan to paint the side of the building to match the rest of the building. The reason they did not want to build decorative pop outs is because it is an unnecessary construction cost for something that no one will ever be able to see. Condition 3 refers to the removal of a billboard which he does not own. It is owned by Clear Channel Communications. He has not received any revenue from the billboard. CHAIRMAN TRUESDELL commented that if MR. WILLICK acquires the property the billboard will transfer to his ownership. MR. WILLICK explained that the original lease was a ten year lease subject to a five year renewal with further renewals thereafter. The ownership of the small portion of land where the billboard sits is Clear Channel and they have a contractual right to have it there until their lease with the prior owner expires. The previous billboard was owned by Don Ray Billboards. COMMISSIONER STEINMAN asked MR. WILLICK if he was aware of the lease's provisions. MR. WILLICK replied that he believes the billboard might have a remaining two-year lease. COMMISSIONER STEINMAN noted that staff needs to review this matter.

MR. ESHENBAUGH outlined the reasons for the building's location. One is the signage. If the building were to be up on the 24-foot setback as required by Title 19, that pylon sign would be in the way. Secondly, there is an existing curb cut on Bonanza Road, and, again, if the building is pushed towards the setback, they would have to relocate that curb cut. Thirdly, MR. WILLICK and his group need secured parking, and the best to place that secured parking is in the back of the site. They only need about 12 parking spaces. This layout works well from a security point, from protecting the people on the site. No body is going to be parking on that corner. There is already a precedent in the area of buildings that are both back and up on the setback.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 27 – VAR-9726

MINUTES – Continued:

MR. WILLICK added that their plan was to enhance the security. There have been three break-ins in the area. Part of the plan was to put these buildings back-to-back to enhance the security of both structures. Bonanza Road at this point is a six-lane roadway. It is hard to come out of the parking lot. If the building were moved any closer to the street, it would hinder the view for the people pulling out through that intersection. He disagreed with staff that the site is overbuilt. Given the current value of land, it is not practical to build a small one-story building in the middle of this large lot. The parking required for the building is only about two-thirds of the land area. The only way to afford building anything is to build it at least in the size proposed.

COMMISSIONER EVANS asked MR. WILLICK what his disagreement is with Conditions 3 and 15. MR. WILLICK clarified that he could agree with Condition 15, but still feels it is unnecessary. However, regarding Condition 3, as of today he cannot agree to something to which he does not own. He is uncertain when he would be receiving revenue from the billboard.

COMMISSIONER TROWBRIDGE commented that the variance requested addresses the adjacency separation to residential, and even though the applicant acquired 50 percent more property, yet it still remains the inability to meet the separation requirements. MR. WILLICK explained that about four months the plan was changed. This was all zoned C-2. This was changed so that in the future somebody can build a street through the middle of this property and build a row of houses on each side. CHAIRMAN TRUESDELL pointed out that the entire three-acre site has been the full employment act of staff over the last several years. There has been better control and better design standards on an 80-acre parcel than what has been imposed on this little insignificant parcel of land. While he understands the focus on what the applicant is looking at, there is a history here with other applications that have gone through a process. The residential is not a bigger concern, other than the fact that it was approved. The map indicating not a part was all a part of the subdivision. At one point, this was all one parcel of land.

COMMISSIONER TROWBRIDGE pointed that a billboard was placed on the property and the applicant paid \$50,000 to get control over that sign. MR. WILLICK responded that it is not a matter of control. He cannot remove it because there is a contract right. COMMISSIONER TROWBRIDGE asked MR. WILLICK if he is willing to give up the supper club use that was approved on the same parcel. MR. WILLICK replied that there has never been a plan for a supper club. It will be strictly an office building. The 80 feet versus the 90 feet has to do with the angle of view. The issue is about a sliver of roof top that might be visible from a backyard of something that might exist in the future. There are no mountain views in that direction.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 27 – VAR-9726

MINUTES – Continued:

COMMISSIONER DAVENPORT commented that the applicant's justification for the variance from 99 feet indicates that the proposed design of the building is conceptual, which may allow them to lower the height of the building in the future. MR. ESHENBAUGH responded that they can lower the parapet by one or two feet. COMMISSIONER DAVENPORT then asked the DEPUTY CITY ATTORNEY BRYAN SCOTT whether Clear Channel could be noticed for them to prove that they have a special use permit. DEPUTY CITY ATTORNEY SCOTT replied that some signs in the City not permitted by special use permit have been grandfathered in because they are so old. Possibly the applicant could provide some documentation prior to the City Council meeting.

COMMISSIONER DAVENPORT remarked he could support Condition 3 to state that the applicant will assist the City in every way to remove the billboard. DEPUTY CITY ATTORNEY SCOTT was unclear as the nature of the property rights that exist underneath the billboard and how that relates to this site. MR. WILLICK replied that there was a lease between the original owner of this huge lot and Don Ray Billboards to lease for a period of time a pad on which they built the sign. It was renewed after a term of many years. He was uncertain if the Planning Commission or the City Council granted the repeated approvals to allow the sign. DEPUTY CITY ATTORNEY SCOTT asked MR. WILLICK whether when he purchased the site he also purchased that pad or that was reserved from the deed. MR. WILLICK answered that he had to purchase the contract that the original landowner has with the sign company, which entitles him to future revenue from the billboard. DEPUTY CITY ATTORNEY SCOTT verified that MR. WILLICK purchased the pad upon which this billboard sits and that he does not own the physical structure of the billboard. Then he explained that the City Code always provides that even though there are these private agreements amongst private landowner it does not affect the City Council's ability to require certain conditions of approval for land use decisions. Despite his private contract, the Planning Commission could keep that condition on requiring the removal of the billboard within a certain period of time. He is not certain if there is some kind of impossibility clause that the applicant could say that the government may now force him to remove the billboard, therefore, he will not be liable for tearing it down. However, this might be a private deal he would have to work with the billboard company.

COMMISSIONER DAVENPORT proposed to leave Condition 3 and for the applicant to work with staff before the City Council meeting on the billboard removal clause. DEPUTY CITY ATTORNEY SCOTT asked that the applicant provide copies of those documents. MR. RANKIN commented that he has a copy of the documents, and explained that they are denial letters from the Board of Zoning Adjustment for a special use permit for a billboard at this location. The last letter related to an item that was appealed to the City Council, but he did not

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 27 – VAR-9726

MINUTES – Continued:

have the result of that Council meeting. However, he will research to determine what occurred, whether the item was withdrawn, stricken, approved and ultimately denied. COMMISSIONER DAVENPORT understood about the pop outs and suggested deleting the second sentence of Condition 15.

COMMISSIONER STEINMAN remarked that the issue could be resolved by the removal of the billboard sign and for the applicant to move the curb cut over to the east. MR. WILLICK replied that the curb cut is not the problem. It would be expensive to have it demolished and then rebuilt about nine feet away. CHAIRMAN TRUESDELL pointed out that if the building is left where it is, there is an agreement to purchase the cross easements with both parcels east and west of the property. In a matter of being safe, rather than move one driveway close to another drive, why not delete that driveway and use the common drive where access could be provided to the site. Deleting one driveway is a lot cheaper than moving it and the applicant would not have to apply for an encroachment permit and have a much safer site. MR. WILLICK agreed.

Regarding Item 28, COMMISSIONER DAVENPORT moved to delete the second sentence of Condition 15. MARGO WHEELER, Director of Planning and Development Department, recommended a sentence to be added to Condition 10 stating that the westerly driveway to Bonanza Road shall be eliminated. She explained that Condition 7 addresses expunging the previous site plan and special use permit.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed for Item 25 [VAR-9581] and Item 26 [SDR-9372]

(8:07 – 8:44)

2-1301

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-9421).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-9421 - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-9726 - PUBLIC HEARING - APPLICANT: WILICK LAW GROUP - OWNER: MARSHAL S. WILICK - Request for a Site Development Plan Review FOR A PROPOSED 19,602 SQUARE FOOT OFFICE BUILDING AND A WAIVER OF THE BUILDING PLACEMENT, PARKING LOT, FOUNDATION AND PERIMETER LANDSCAPING REQUIREMENTS on 1.5 acres along the south side of Bonanza Road, approximately 300 feet east of Pecos Road (APN 140-31-121-003), C-1 (Limited Commercial) Zone, Ward 3 (Reese).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions and amending Conditions 10 and 15 as read for the record as follows:

10. All development shall be in conformance with the site plan and building elevations, date stamped 10/07/05, except as amended by conditions herein. *The westerly driveway to Bonanza Road shall be eliminated.*
15. The elevations shall be revised to include height variations in the roofline, while carrying the same level of detail and finish around all sides of the building. The revisions shall be approved by the Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to comply with the Commercial Development Standards.

– UNANIMOUS with STEINMAN voting NO

To be heard by the City Council on 12/7/2005

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 28 – SDR-9421

MINUTES:

NOTE: See Item 27 [VAR-9726] for all related discussion.

(8:07 – 8:44)

2-1301

CONDITIONS:

Planning and Development

1. A Waiver of the parking lot landscaping to allow 11 trees; foundation landscaping to allow zero (0) and five (5) feet; and perimeter landscaping to allow an eight (8) foot buffer is hereby approved.
2. A Waiver of the building placement to allow the building to be oriented away from the street is hereby approved.
3. The billboard located on the subject site shall be removed prior to issuance of building permits.
4. A cross access and parking agreement with the property to the east shall be obtained prior to issuance of building permits.
5. Any proposed development on the “future pad” as indicated on the site plan, shall require an additional Site Development Plan Review.
6. The proposed wall located on the rear property line shall not exceed eight (8) feet in height pursuant to Title 19.12 Landscape and Buffer Standards without additional approvals.
7. Approval of the subject Site Development Plan Review will expunge the approval of Site Development Plan Review (SDR-5093) and Special Use Permit (SUP-5096).
8. A Variance (VAR-9726) to allow a residential adjacency separation of 80 feet where 99 feet is the minimum separation required shall be approved by the City Council.
9. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
10. All development shall be in conformance with the site plan and building elevations, date stamped 10/07/05, except as amended by conditions herein.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 28 – SDR-9421

CONDITIONS – Continued:

11. The landscape plan shall be revised to include the conditioned eight (8) foot buffer along the north property line, and an eight (8) foot buffer along the east property line within the areas delineated as the “future pad”. The landscape buffer is not required where future drive aisles may be located. Additionally, the conceptual landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
12. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
13. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
14. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
15. The elevations shall be revised to include height variations in the roofline, while carrying the same level of detail and finish around all sides of the building. Additionally, the west elevation shall be revised to include additional architectural detail to match the north and east building elevations. The revisions shall be approved by the Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to comply with the Commercial Development Standards.
16. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 28 – SDR-9421

CONDITIONS – Continued:

19. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
20. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
21. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

22. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
23. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the east prior to the issuance of any permits.
24. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
25. Site development to comply with all applicable conditions of approval for Rezoning Z-80-77 and the Pecos/Bonanza Plaza Commercial subdivision and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-9728 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Variance TO ALLOW ZERO PARKING SPACES WHERE FIVE ARE REQUIRED FOR A TEMPORARY REAL ESTATE SALES OFFICE on 0.56 acres adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-08-327-050 thru 055), R-PD6 (Residential Planned Development - 6 Units per Acre) Zone, Ward 6 (Ross).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TROWBRIDGE – DENIED – UNANIMOUS with DAVENPORT and DUNNAM voting NO

Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open for Item 29 [VAR-9728] and Item 30 [SUP-9447].

DOUG RANKIN, Planning and Development Department, explained that these items are part of a conditional use. Title 19.04 requires as a conditional use for sales model homes a paved parking lot with five paved parking spaces. The applicant has chosen not to pave the parking spaces, in which resulted in a special use permit and not a conditional use at this location. The variance is required as part of Title 19.20, which is that all parking be paved. The applicant has indicated that the five parking spaces will be made of chad. Staff recommended denial as both Title 19.04 and Title 19.20 require paving in order to consider a parking lot.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 29 – VAR-9728

MINUTES – Continued:

TOMMY URIBE, DR Horton, 6845 Escondido Street, Suit 105, asked that they be allowed to install chad instead of asphalt. In the past they have used chad on a site located at Deer Springs Road and Bradley Road. They are currently using chad in the County and in the City of Henderson. They will install a big concrete slab for handicap parking and the rest of the area would be chad. The sales center parking lot would be temporary and the asphalt would be harder to dispose.

COMMISSIONER STEINMAN questioned the reason for the parking variance. MR. RANKIN explained that Title 19.20 requires parking spaces to be paved with asphalt. Unpaved parking cannot be counted as parking spaces. MR. URIBE clarified that the handicap space is concrete and will be removed together with the temporary structure. COMMISSIONER STEINMAN commented that asphalt would not be hard to remove. MR. URIBE rebutted that they have used chad in the past and found it has been very effective. COMMISSIONER STEINMAN expressed concern about the dust raised by cars from chad, especially in the summer. MR. URIBE replied that a material would be put on top of chad and would continue to apply for the duration of the temporary sales center.

COMMISSIONER DUNNAM noted that chad is three quarter inch plus and an inch and half minus. It is a fairly large rock and it keeps the dust down and it lets the rain permeate into the ground. He felt it is an acceptable alternative. MR. URIBE commented that chad does not mold and it is a hard surface.

CHAIRMAN TRUESDELL questioned how people walk on chad if it is a policy of DR Horton to use chad. He felt this is not a critical issue for this project. He opined this is a prelude to not having sales parking lots for other projects. The customers would have to park on the street. The City has worked with the industry to create these standards, and should not have to give up the required parking and put the cars on the curb. In some of these developments where the sales centers stay longer might create a situation that will be less dynamic for the neighborhood, thus not doing a good job of creating a better solution. The City has a higher standard and this waiver should not even be considered. MR. URIBE rebutted that chad has been used in other jurisdictions.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed for Item 29 [VAR-9728] and Item 30 [SUP-9447].

(8:44 – 8:54)

2-290

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9447 - SPECIAL USE PERMIT RELATED TO VAR-9728 - PUBLIC HEARING - APPLICANT/OWNER: D.R. HORTON, INC. - Request for a Special Use Permit FOR A TEMPORARY REAL ESTATE SALES OFFICE WITH AN UNPAVED PARKING LOT adjacent to the southwest corner of Horse Drive and Fort Apache Road (APN 125-08-327-050 thru 055), R-PD6 (Residential Planned Development - 6 Units per Acre) Zone, Ward 6 (Ross).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TROWBRIDGE – DENIED – UNANIMOUS with DAVENPORT and DUNNAM voting NO

Final Action

MINUTES:

NOTE: See Item 29 [VAR-9728] for all related discussion.

(8:44 – 8:54)

2-2906

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-9270 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHARD LUKE ARCHITECT - OWNER: RICHARD HUNTER - Request for a Variance TO ALLOW A 17 FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED FOR A PROPOSED PORTE COCHERE on 1.23 acres at 9401 Kings Gate Court (APN 138-31-710-006), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Wolfson).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at meeting – Support letters

MOTION:

EVANS – APPROVED subject to condition – UNANIMOUS

Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development Department, stated that the porte cochere is located at the front of the property. The structure is utilized to drive a car underneath. The existing property is developed with a 20,000 square foot two-story home. Staff could not find any findings for approval; therefore recommended denial of the variance.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 31 – VAR-9270

MINUTES – Continued:

RICHARD MORENO, 300 South 4th Street, appeared on behalf of the applicant and submitted a support letter from the Queensridge Homeowners Association, as well as two support letters from two adjacent neighbors. MR. MORENO stated that the three feet will be involved with the landscaping.

COMMISSIONER EVANS found that the configuration of the lot is unusual and that a slight variation of the porte cochere would not create a public hardship. Therefore, he moved for approval.

No one appeared in opposition.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(8:54 – 9:13)
2-3494

CONDITIONS:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

VAR-9440 - VARIANCE - PUBLIC HEARING - APPLICANT: JAMES POLLINS - OWNER: CHRISTINA TONEY - Request for a Variance TO ALLOW A PROPOSED SIX FOOT TALL WROUGHT IRON FRONT YARD FENCE WHERE FOUR FEET IS THE MAXIMUM ALLOWED on 0.19 acres at 2804 Marlin Avenue (APN 139-36-213-002), R-3 (Medium Density Residential) Zone, Ward 3 (Reese).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

TROWBRIDGE – APPROVED subject to conditions and adding the following condition:

- Pursuant to plans submitted and date stamped 9/20/2005.
- UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning Department, announced this proposal is to allow a six-foot high fence where four feet is the maximum. The residential lot consists of 8,200 square feet and the owner is requesting the variance to address security issues within the neighborhood. Staff is recommending denial of the proposed tubular steel fence.

JAMES POLLINS, 669 Future Canyon Circle, explained that the reason to request the height variance would be to protect the building from graffiti and vandalism. As a four-plex unit, this

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 32 – VAR-9440

MINUTES – Continued:

added feature would protect the residents living there.

At the request of CHAIRMAN TRUESDELL, MR. POLLINS clarified that he planned to install the appropriate landscaping and described the design soon to take place. MR. POLLINS added that the building has been painted and repairs have been completed since the initial application was submitted.

MARGO WHEELER, Director of Planning Department, stated the approval would be subject to the plans date stamped and submitted 9/20/2005.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:13 – 9:16)

3-27

CONDITIONS:

Planning and Development

1. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9430 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MOLLY BRANNIGAN'S - OWNER: BOCA FASHION VILLAGE, LLC - Request for a Special Use Permit FOR A PROPOSED SUPPER CLUB located along the east side of Rampart Boulevard, approximately 900 feet south of Alta Drive (APN 138-32-312-005), PD (Planned Development) Zone, Ward 2 (Wolfson).

THE APPLICANT REQUESTS THIS ITEM BE WITHDRAWN WITHOUT PREJUDICE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends WITHDRAWAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda – Abeyance request letters

MOTION:

GOYNES – Motion to HOLD IN ABEYANCE Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; WITHDRAW WITH PREJUDICE Item 17 [VAR-8652]; TABLE Item 19 [SDR-8967]; and STRIKE Item 42 [TXT-9765] – UNANIMOUS

To be held in abeyance to the 11/17/2005 Planning Commission meeting

MINUTES:

There was no discussion.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9311 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: SCOTT G. MAHALICK - Request for a Special Use Permit FOR A BAILBOND SERVICE at 121 Gass Avenue (APN 139-34-410-026), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

NOTE: CHAIRMAN TRUESDELL disclosed that he owns property in the vicinity but is not affected by the site; therefore, would vote on the item.

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open for Item 34 [SUP-9311] and Item 35 [SDR-9310].

MARIO SUAREZ, Deputy Director of Planning and Development, explained that the Special Use Permit includes the conversion of the existing residents to an office to locate the bail bonds.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 34 – SUP-9311

MINUTES – Continued:

The proposed project is consistent with the Downtown Centennial Requirements and staff recommended approval.

SCOTT MAHALICK, 8671 Cactus Creek Drive, acknowledged the plan reflects a well thought out design appropriate to the City's requirements and he requested approval.

COMMISSIONER DAVENPORT inquired about landscaping plans, and MR. MAHALICK replied that the front of the building currently has three equally spaced cacti and it is his intention to plant two additional trees. He indicated that when the building was purchased he painted it and obtained decorative rock to also enhance its appearance.

CHAIRMAN TRUESDELL declared the Public Hearing closed for Item 34 [SUP-9311] and Item 35 [SDR-9310].

(9:17 – 9:21)

3-146

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-9310).
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-9310 - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-9311 - PUBLIC HEARING - APPLICANT/OWNER: SCOTT G. MAHALICK - Request for a Site Development Plan Review FOR A PROPOSED 640 SQUARE FOOT OFFICE CONVERSION AND A WAIVER OF THE DOWNTOWN CENTENNIAL PLAN STREETSCAPE STANDARDS AND BUILD TO LINE REQUIREMENT on 0.03 acres at 121 Gass Avenue (APN 139-34-410-026), R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (Limited Commercial) Zone, Ward 1 (Tarkanian).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

See Item 34 [SUP-9311] for all related discussion.

(9:17 – 9:21)

3-146

CONDITIONS:

Planning and Development

1. The applicant shall not alter the existing window dimensions, openings and parapet in any way. Also, a decorative wrought iron railing shall be used as the hand railing for the required ADA ramp.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 35 – SDR-9310

CONDITIONS – Continued:

2. The existing building shall comply with the Uniform Building Code with respect to ADA compliance.
3. A Special Use Permit (SUP-9311) to allow a Bailbond Service use shall be approved by the City Council
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
5. All development shall be in conformance with the site plan and building elevations, date stamped 09/13/05, except as amended by conditions herein.
6. A Waiver of the Downtown Centennial Plan Streetscape Standards to allow a five foot sidewalk and Build to Line Requirement to be six feet four inches from the property line is hereby approved.
7. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf.
8. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
9. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 35 – SDR-9310

CONDITIONS – Continued:

13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Landscape and maintain all unimproved rights-of-way on Gass Avenue adjacent to this site.
16. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Gass Avenue public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9272 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: MINWU, INC. - OWNER: CHETAK DEVELOPMENT CORPORATION – Request for a Special Use Permit FOR A RESTAURANT SERVICE BAR at 2226 Paradise Road (APN 162-03-411-011), C-1 (Limited Commercial) Zone, WARD 3 (Reese).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – **UNANIMOUS** with **TRUESDELL** abstaining because he has an interest in the property, and **DAVENPORT** abstaining because his wife owns a company within the notice area

To be heard by the City Council on 12/7/2005

MINUTES:

VICE CHAIRMAN GOYNES declared the Public Hearing open.

DOUG RANKIN, Planning and Development, explained that the request is for a restaurant service bar, limited to beer and wine only. The building to be occupied was formerly a restaurant that also had a parking variance and staff recommended approval.

MIN WU, 2226 Paradise Road, appeared with SARAH WU and they requested approval.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 36 – SUP-9272

MINUTES – Continued:

VICE CHAIRMAN GOYNES declared the Public Hearing closed.

(9:22 – 9:24)

3-283

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Restaurant Service Bar use.
2. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
3. Approval of this Special Use Permit does not constitute approval of a liquor license.
4. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9416 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: THE HERTZ CORPORATION - OWNER: HOTSPUR RESORTS NEVADA, INC. - Request for a Special Use Permit FOR A PROPOSED AUTOMOBILE RENTAL IN AN EXISTING HOTEL at 221 North Rampart Boulevard (APN 138-29-401-002), P-C (Planned Community) Zone, Ward 2 (Wolfson).

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, explained that the use is compatible with the existing hotel and casino. There is sufficient parking to provide 10 permanent spaces for the rental cars and therefore staff recommended approval.

MATHEW HOTAMEAL, 1210 Henson Street, appeared on behalf of the applicant and concurred with all conditions. He confirmed there would not be any maintenance of the vehicles.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 37 – SUP-9416

MINUTES – Continued:

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:24 – 9:26)

3-366

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for Automobile Rental use.
2. Conformance to the Conditions of Approval for Rezoning Z-44-87 and Special Use Permit U-54-96.
3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City of Las Vegas.
4. No temporary special events signs such as banners, pennants, inflatable objects, streamers, flags, strobe lights or other similar attention gaining item or devices shall be displayed upon the subject property or a vehicle displayed for rental in the parking lot of the subject property.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SUP-9435 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: THOMAS C. LAWYER FAMILY TRUST - Request for a Special Use Permit FOR A PROPOSED 20 FOOT EXTENSION TO AN EXISTING 60 FOOT TALL WIRELESS COMMUNICATION FACILITY, NON-STEALTH DESIGN at 3040 South Valley View Boulevard (APN 162-08-302-008), M (Industrial) Zone, Ward 1 (Tarkanian)

C.C.: 12/07/05 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

EVANS – APPROVED subject to conditions and amending the following condition:

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Wireless Communication Facility to a Stealth Design use.
– UNANIMOUS with STEINMAN voting NO

To be heard by the City Council on 12/7/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development Department, stated that the applicant is proposing to add 12 new antenna arrays to an existing cell tower, which would alter the height of the tower to 80 feet.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 38 – SUP-9435

MINUTES – Continued:

The area is changing to a high-rise residential use and staff is concerned that this proposal will present an unsightly condition at the requested location and therefore recommended denial. If approved, staff recommended that the existing structure be painted blue/grey to blend in more with the surroundings.

STEVE GIBSON, 1701 West Charleston, appeared on behalf of the applicant. He stated the requested 12 antennas would allow Cingular Wireless to maximize coverage and quality in the area and would appease any tower proliferation issues in the future. He stated that the aesthetic impact on new development would be minimal.

With the request of 12 additional antennas, COMMISSIONER DAVENPORT commented that it would be ideal to impose an added condition that would require the applicant to modify the tower to a stealth tower. MR. GIBSON stated that Cingular Wireless does not own the existing structure. MR. GIBSON replied that had this request been for a new structure, the applicant would agree to stealth the tower, but because the request is only to add a 20-foot extension, it would be problematic. COMMISSIONER DAVENPORT stated that there will be a need to convert the tower in the future and while painting is an attempt for the tower to blend in, he suggested improving the tower to a stealth design.

In reference to MR. GIBSON'S comment about not owning the tower, CHAIRMAN TRUESDELL stressed to staff that that argument should not be reason enough to not impose the request to modify the design of cell towers. These towers were supposed to be outdated long ago and if these requests continue to arise and the argument not to modify the appearance of them continues, there will not be mid/high rise or office building development because the area will look so industrialized. He concurred with COMMISSIONER DAVENPORT'S comments of the need to modify these towers as soon as possible.

COMMISSIONER DUNNAM indicated he would only support the request if the applicant were to agree to beautify the tower to a stealth appearance. COMMISSIONER DAVENPORT clarified that the entire tower be modified, not only the segment that Cingular Wireless is adding. CHAIRMAN TRUESDELL stated that it would be the applicant's burden to provide staff with an example of something more aesthetically pleasing than what has been provided.

COMMISSIONER TROWBRIDGE noted alternative options to blend the towers in with the community and suggested that the industry pursue the option that is more beneficial for the community.

COMMISSIONER DAVENPORT approved the application with an amendment to Condition 3 to read the entire monopole and its antenna shall be stealth or the applicant shall work with staff

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 38 – SUP-9435

MINUTES – Continued:

in order to provide a stealth type assembly. MARGO WHEELER, Director of Planning and Development, clarified that the applicant would need to meet the requirements for stealth design on the entire pole.

CHAIRMAN TRUESDELL questioned if the code includes a map of additional cell sites. MR. RANKIN replied that maps are required and are used to encourage co-location on poles. He further explained that there are several designs available for the applicant to choose from to provide an appealing and unified design. COMMISSIONER EVANS commended COMMISSIONER TROWBRIDGE'S idea to incorporate the towers on ballpark fields and places that are not within residential communities.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:26 – 9:41)

3-429

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Wireless Communication Facility, Non-Stealth Design use.
2. Conformance to the submitted site plan and elevations date stamped 09/20/05. The height of the monopole shall not exceed 80 feet and the proposed antennas shall be mounted on the monopole at a centerline height of 75 feet.
3. The entire monopole and its antennas shall be painted a flat blue-gray color.
4. The wireless communications facility and its associated equipment and screening shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the facility and its associated equipment.
5. This Special Use Permit shall expire one year from the date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
6. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SDR-9426 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT OWNER: ALAJANDRO MALDONADO - Request for a Site Development Plan Review FOR A PROPOSED 1,770 SQUARE FOOT OFFICE CONVERSION AND WAIVERS OF THE STREET BUFFER, PERIMETER BUFFER, PARKING LOT, AND FOUNDATION LANDSCAPING REQUIREMENTS on 0.17 acres at 356 South Jones Boulevard (APN 138-36-210-014), R-1 (Single Family Residential) Under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Tarkanian).

C.C. 12/07/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:

STEINMAN – APPROVED subject to conditions – UNANIMOUS

Final Action

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARIO SUAREZ, Deputy Director of Planning and Development, stated this application is to request a conversion to an existing 1700 dwelling unit to an office. The applicant has provided adequate parking but is requesting a waiver for the landscaping and staff recommended approval subject to conditions.

MICHAEL ANDERSON, 921 American Pacific Drive, appeared on behalf of the owner. He concurred with all conditions and requested approval.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 39 – SDR-9426

MINUTES – Continued:

COMMISSIONER STEINMAN stated that a design plan for landscaping is part of the conditions, and MR. ANDERSON described the current landscaping plans.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:41 – 9:45)

3-960

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
2. All development shall be in conformance with the site plan and building elevations, date stamped 09/20/05, except as amended by conditions herein.
3. A Waiver from Title 19.12 is hereby approved, to allow perimeter buffers ranging from zero to five feet where eight feet is required; a street buffer of 10 feet where 15 feet is required; no parking lot landscaping; and no foundation landscaping.
4. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
5. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
6. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights. Lighting on the exterior of buildings shall be shielded and shall

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 39 – SDR-9426

CONDITIONS – Continued:

be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with the Land Development Section of the Department of Public Works to determine what improvements are substandard.
13. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A along Jones Boulevard. All work within the Jones Boulevard right-of-way shall receive approval from the Nevada Department of Transportation.
14. Improvement drawings for this site shall include the two parcels to the north (Assessor's Parcel Number 138-36-210-012 and 138-36-210-013) so that the offsite driveways used to service this site are constructed in conjunction with development of this parcel.
15. Provide a copy of a recorded Joint Access Agreement between this site and the two parcels to the north (Assessor's Parcel Number 138-36-210-012 and 138-36-210-013) prior to the issuance of any permits.
16. Landscape and maintain all unimproved right-of-way, if any, on Jones Boulevard adjacent to this site.
17. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Jones Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
18. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 39 – SDR-9426

CONDITIONS – Continued:

19. Site development to comply with all applicable conditions of approval for Z-26-91 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: OCTOBER 6, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

**ABEYANCE - TXT-8759 - TEXT AMENDMENT - PUBLIC HEARING -
APPLICANT/OWNER: CITY OF LAS VEGAS -** Discussion and possible action to amend
Title 19.04.040 Conditional Uses, 19.08.040 Residential District Development Standards and
19.20 Definitions in regards to accessory structures.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – ABEYANCE – UNANIMOUS

To be heard by the Planning Commission on 12/15/2005

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, explained the text amendment is being considered to allow for rental of an accessory structure to a third party. This is one of many steps that may be taken to allow affordable housing via accessory structures. There are many issues that have not been resolved and the Code would need to be modified. Accessory structures have consisted of many different types of units so staff labeled two categories as habitable structures and non-habitable. There currently remains controversy as to what defines the two categories but staff has figured that if the unit has a kitchen, bedroom and a living area, it would be classified as habitable. Non-habitable would consist of the remaining units that are generally used as workshops and pool houses.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 40 – TXT-8759

MINUTES – Continued:

The setback requirements needed to be altered, which even affected the sports fencing setback requirements. MR. RANKIN stated that all the different structures would need to reflect the same compatible setback requirements. He requested comments from the commissioners.

COMMISSIONER DUNNAM questioned that if there were two habitable structures on one R-1 zoned property, would that property still be considered a single family residence. MR. RANKIN acknowledged the concern and stated that the accessory structure would be limited to 50 percent of the building and 50 percent of the rear yard area to keep the structure accessory and smaller. The density would be altered when allowing additional structures, but would also allow for more rental opportunities during this need for affordable housing.

COMMISSIONER EVANS shared his family's personal experience with additional structures and how it has truly been ideal. The location of such structures would need to be determined so that it would remain appropriate and ensure that any structure is not abused as a rental unit. He questioned if this concept is consistent with what Clark County is proposing. MR. RANKIN confirmed this idea is consistent with what the County is proposing and included that the lot size and additional parking is a major requirement. The lot size minimum would be 6,500 square feet.

CHAIRMAN TROWBRIDGE inquired about the opportunity for someone to consider using a motor home or travel trailer as an accessory structure for rental purposes. MR. RANKIN stated that currently the City does not allow casitas to have a kitchen and as long as there is a bedroom, living area and closet, it would be allowed. He recognized that garage conversions are presently being rented out illegally so there has been consideration to those anticipated problems.

COMMISSIONER EVANS questioned what has been decided as to whether or not separate meters would be hooked up, and MR. RANKIN stated staff prefers for the accessory structure to remain under one unit. COMMISSIONER STEINMAN concurred with COMMISSIONER DUNNAM'S concern about the sizes of the additional structures and whether or not two homes could be built on one lot. MR. RANKIN welcomed these discussions as they have all been accounted for.

CHAIRMAN TRUESDELL indicated that there are garages that have apartments above them and, if appropriately designed, can be invisible to the neighborhood and properly serve as a rental unit. To impose a single story restriction may not be a legitimate restriction. The current Code allows an accessory structure to be no greater than the principle structure. MR. RANKIN clarified that the concept would allow lofts above garages.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 40 – TXT-8759

MINUTES – Continued:

COMMISSIONER DUNNAM expressed concern that if this application was approved other property owners would begin requesting to subdivide their lot to sell or build homes. MR. RANKIN stated that would be an extreme case and would require a General Plan Amendment and several variances. CHAIRMAN TRUESDELL commented that staff would need to reflect phenomenal restraint not to allow waivers and variances otherwise there would be no control of the community as a whole. Design standards would be destroyed altogether. He expressed concern for the opportunity to abuse this luxury. The amendment may not even resolve affordability and attainability issues that the community is currently coping with.

At the request of COMMISSIONER EVANS, MR. RANKIN confirmed that these structures would be allowed as a rental unit by way of a Special Use Permit and if the structure were non-habitable, they would be allowed by conditions so long as all setback requirements were allowed. MR. RANKIN further stated that casita applications are commonly reviewed and only appear before the Commissioners if a variance is requested. As the Code stands, there is no restriction on the size of the secondary unit.

MARIO SUAREZ, Deputy Director of Planning and Development, acknowledged the legitimate concerns raised and emphasized to the Commissioners that this discussion is geared to be helpful in providing input on restrictions and even the Code. Upon discussions, Planning staff will incorporate proper language to address all of the concerns.

MARGO WHEELER, Director of Planning and Development, suggested to hold the item in abeyance to the second meeting in December to allow time to craft more appropriate language that would specifically address the concerns discussed. She reiterated that the key points of discussion included the relationship to the primary structure, separate rental, the inclusion of a kitchen, and a minimum and maximum size to be allowed. There are also comparisons of a wide variety of these ordinances from southern Nevada and would return with those for review.

CHAIRMAN TRUESDELL stated there is an outline of a community that experienced the ordinance and, upon numerous workshops, there are now eight standardized layouts available that allow people to visit the Building Department and leave with a sketch. These organized efforts promote a level of control of the secondary structure. MR. RANKIN confirmed his knowledge of such communities that have dealt with the ordinance and would further research an appropriate approach to mirror those options.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(9:45 – 10:10)

3-1092

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-9363 TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER:
CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19 (the Las Vegas Zoning Code) to add requirements and procedures which allow for minor changes to the General Plan in conformance with state law.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

EVANS – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in ordinance form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

DOUG RANKIN, Planning and Development, stated that the State Legislature passed the AB187 which allows for the City to make minor changes to the master plan without going through the public hearing process. The changes consist of minor grammatical corrections.

COMMISSIONER STEINMAN requested clarification on whether or not staff could approve the request without the item appearing before the Planning Commission or City Council. MARGO WHEELER, Director of Planning and Development, stated that the item does not need to follow a quarterly schedule and can be brought forward as appropriate.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 41 – TXT-9363

MINUTES – Continued:

MR.RANKIN further explained that changes can reflect updated information based on new or revised studies and many other changes that are considered minor. Existing law prohibits the Planning Commission from amending the land use plan component of the master plan more than four times in a calendar year except for changes in the land use designation for a particular area which does not affect more than 25 percent of the area. ABA187 exempts those minor amendments from that prohibition and therefore allows minor amendments to the land use components to the master more than four times in a calendar year.

MS. WHEELER clarified that the state law indicates that the Planning Commission does not have to see the matter; however, anything that affects the general plan or Title 19 comes to the Planning Commission as a policy of the City and that would remain.

CHAIRMAN TRUESDELL declared the Public Hearing closed.
(10:10 – 10:13)
3-2087

CONDITIONS:

1. Title 19.18.030 is hereby amended to include the following:

J. Minor General Plan Amendments

The City Council may approve minor amendments to the master plan. Minor Amendments are subject to the public hearing requirements of 19.18.030 F. Minor Amendments are not subject to the quarterly consideration limitation specified in 19.18.030 C7. Minor Amendments are limited to the following:

(1) A change in a boundary that is based on a geographical feature, including, without limitation, topography, slopes, hydrographic features, wetland delineation and floodplains, when evidence is produced that the mapped location of the geographical feature is in error;

(2) A change made to reflect the alteration of the name of a jurisdiction, agency, department or district by the governing body, governing board or other governing authority of the jurisdiction, agency, department or district, as applicable, or by another entity authorized by law to make such an alteration; and

(3) An update of statistical information that is based on a new or revised study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-9765 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19.04.040, "Conditional Uses," and Title 19.04.050, "Special Use Permits," to remove the separation distance requirements for the Auto Title Loan, Financial Institution, Specified and Auto Pawn uses.

STAFF REQUESTS THIS ITEM BE HELD IN ABEYANCE

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to **HOLD IN ABEYANCE** Item 15 [ZON-9093], Item 16 [SDR-9095], Item 20 [SDR-8987], and Item 33 [SUP-9430] to the 11/17/2005 Planning Commission Meeting; **WITHDRAW WITH PREJUDICE** Item 17 [VAR-8652]; **TABLE** Item 19 [SDR-8967]; and **STRIKE** Item 42 [TXT-9765] – **UNANIMOUS**

MINUTES:

There was no discussion.

(6:03 – 6:06)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-9766 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to Amend Title 19.04.040, "Conditional Uses," and Title 19.04.050, "Special Use Permits," to establish separation distance requirements for the Pawn Shop use.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends NO RECOMMENDATION

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in ordinance form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, stated that pawnshops are currently allowed to administer check cashing pursuant to their more intensive use. The present Code does not address the distance requirements for pawnshop. This request would put pawnshop and financial institutions specified with the same distance requirements.

MS. WHEELER confirmed that a pawnshop can perform check cashing, payday and auto/title loans and not be considered with regard to the distance requirements, as are the other uses. This change would bring pawnshops on the same level of classification and require them to abide by the same considerations.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 43 – TXT-9766

MINUTES – Continued:

COMMISSIONER EVANS stated that current separation issues allow the Planning Commission to deny an application based on over saturation. DEPUTY CITY ATTORNEY BRYAN SCOTT reiterated that pawnshops require a special use permit so if there is not a distance separation, the Planning Commission still posses the discretion to determine if the establishment is appropriate.

CHAIRMAN TRUESDELL expressed concern that pawnshops will justify the lack of opportunity to develop because of the distance separation. DEPUTY CITY ATTORNEY SCOTT clarified that the intent is to have all establishments that offer the same services be regulated equally.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:13 – 10:21)

3-2237

CONDITIONS:

1. Title 19.04.040(C), “Conditions,” shall be amended as follows:

C. Conditions

PAWN SHOP [M]

1. The use shall comply with the applicable requirements of Title 6.60 of the Las Vegas Municipal Code.
2. No outdoor display, sales or storage of any merchandise shall be permitted.
3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, Between Charleston Boulevard and Sahara Avenue.
4. No pawn shop use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than one thousand feet from any other pawn shop use. For purposes of this Paragraph (4), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term “property line” refers to property lines of fee interest parcels and not leasehold parcels.

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 43 – TXT-9766

CONDITIONS – Continued:

2. Title 19.04.050(B), “Minimum Requirements,” shall be amended as follows:

B. Minimum Requirements

PAWN SHOP [C-1, C-2, C-M]

- *1. The use shall comply with the applicable requirements of Title 6 of the Las Vegas Municipal Code.
- *2. No outdoor display, sales or storage of any merchandise shall be permitted.
- *3. No pawn shop shall be located on either side of Fremont Street or on Las Vegas Boulevard South, between Charleston Boulevard and Sahara Avenue.
- 4. No specified pawn shop use may be located closer than two hundred feet from any parcel used or zoned for residential use. In addition, no pawn shop use may be located closer than one thousand feet from any other pawn shop use. For purposes of this Paragraph (4), distances shall be measured in a straight line from property line to property line, without regard to intervening obstacles. The term “property line” refers to property lines of fee interest parcels and not leasehold parcels.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER, AICP ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

TXT-9779 - TEXT AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Discussion and possible action to amend Title 19.04, "Permissible Uses," and Title 19.20.020, "Words and Terms Defined," to establish a definition and standards for Psychiatric Hospitals.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS

To be forwarded to the City Council in ordinance form

MINUTES:

CHAIRMAN TRUESDELL declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development, explained the item is to bring forward a definition and zoning applicability for psychiatric hospitals. No such definition currently exists. The purpose would allow such facility in the C2, CM and M zones with a Special Use Permit.

CHAIRMAN TRUESDELL declared the Public Hearing closed.

(10:21 – 10:23)

3-2609

PLANNING COMMISSION MEETING OF NOVEMBER 3, 2005
Planning and Development Department
Item 44 – TXT-9779

CONDITIONS:

1. Title 19.04.010, Table 2 “Land Use Tables,” is hereby amended to include the following:

RESIDENTIAL												PERMITTED USES	COMMERCIAL						INDUSTRIAL		
U	R- A	R- E	R- D	R- 1	R- CL	R- 2	R- 3	R- 4	R- 5	R- MH	R- MHP	INSTITUTIONAL & COMMUNITY SERVICE	P- R	N- S	O	C- D	C- 1	C- 2	C- PB	C- M	M
												Psychiatric Hospital						<u>S</u>		<u>S</u>	<u>S</u>

2. Title 19.04.050(B), “Minimum Requirements,” is hereby amended to include the following:

PSYCHIATRIC HOSPITAL [C-2, C-M, M]

1. The facility must be adjacent to, and accessed from, a collector or arterial street.
2. The facility shall provide adequate security, in the form of perimeter walls, secured buildings, and qualified supportive staff to monitor patients and visitors.
3. The facility must comply on an ongoing basis with all governmental licensing requirements.

3. Title 19.20.020, “Words and Terms Defined,” is hereby amended to include the following:

Convalescent Care Facility/Nursing Home. A building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital or special care facility. “Convalescent care facility” includes “rest home” and “nursing home,” but does not include “assisted living apartment,” “hospital,” “psychiatric hospital” or “special care facility.”

Psychiatric Hospital. A facility for the diagnosis, care and treatment of persons with mental or developmental disabilities, admitted on an involuntary basis, which provides 24-hour residential care.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: NOVEMBER 3, 2005

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

There was no discussion.

MEETING ADJOURNED AT 10:25 P.M.

Respectfully submitted:

ANGELA CROLLI, DEPUTY CITY CLERK

YDOLEENA YTURRALDE, DEPUTY CITY CLERK